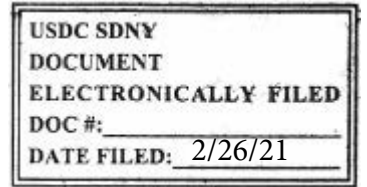


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Marcia Shapiro,

Plaintiff,

—v—

Commissioner of Social Security,

Defendant.

19-cv-8161 (AJN)

ORDER ADOPTING REPORT AND
RECOMMENDATION

ALISON J. NATHAN, District Judge:

Before the Court is Magistrate Judge James Cott’s January 8, 2021 Report & Recommendation recommending that the Court grant Defendant’s motion for judgment on the pleadings pursuant to Rule 12(c) of the Federal Rules of Civil Procedure. Dkt. No. 27 (“R & R”).

When considering the findings and recommendations of a Magistrate Judge, the Court may “accept, reject, or modify [them], in whole or in part.” 28 U.S.C. § 636(b)(1). The Court must make a *de novo* determination of any portions of a magistrate’s report or findings to which a party raises an objection, and reviews only for “clear error on the face of the record” when there are no timely objections to the R & R. *Banks v. Comm’r of Soc. Sec.*, No. 19-cv-929 (AJN) (SDA), 2020 WL 2765686, at *1 (S.D.N.Y. May 27, 2020); *see also Brennan v. Colvin*, No. 13-cv-6338 (AJN), 2015 WL 1402204, at *1 (S.D.N.Y. Mar. 25, 2015); *Hicks v. Ercole*, No. 09-cv-2531 (AJN) (MHD), 2015 WL 1266800, at *1 (S.D.N.Y. Mar. 18, 2015); *Gomez v. Brown*, 655 F. Supp. 2d 332, 341 (S.D.N.Y. 2009). Clear error is found only when, upon review of the entire record, the Court is left with “the definite and firm conviction that a mistake has been

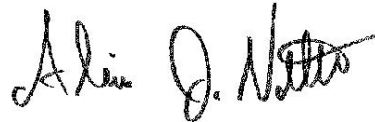
committed.” *Laster v. Mancini*, No. 07-CV-8265 (DAB) (MHD), 2013 WL 5405468, at *2 (S.D.N.Y. Sept. 25, 2013) (quoting *United States v. Snow*, 462 F.3d 55, 72 (2d Cir. 2006)).

As of this date, no objections to the R & R have been filed, and the deadline for objections has passed. *See* R & R at 49–50. Thus, the Court reviews the R & R for clear error, and it finds none. The Court therefore adopts the R & R in its entirety and GRANTS Defendant’s motion for judgment on the pleadings.

This resolves Dkt. Nos. 13 and 23. The Clerk of Court is respectfully directed to enter judgment and close the case. The Clerk of Court is further directed to mail a copy of this Order to the Plaintiff.

SO ORDERED.

Dated: February 26, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", is written over a horizontal line.

ALISON J. NATHAN
United States District Judge